

Application Serial No.: 10/759,430
Reply to Office Action dated February 17, 2006

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are presently active in this case, Claims 1-6 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 1-14 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are set forth on page 2 of the Official Action. The claims have been amended to clarify that the path communicates with a surface, and to change the term "dent" to "deform" or "deformed," where appropriate. The antecedent basis problem has been addressed in Claim 4. Additionally, Claims 5 and 6 have been amended to clearly indicate when the insertion member has a convex portion and when it has another shape. The Applicants submit that the amendments set forth herein overcome the indefiniteness rejections set forth in the Official Action. Accordingly, the Applicants request the withdrawal of the indefiniteness rejections.

The Applicants further submit that the grounds of rejection in the Office Action were not of a nature that would a substantive examination of the present claims. Accordingly, Applicants interpret the lack of any prior art rejection as an indication that, upon clarification of the claims, they would be allowed, and that the claims patentably distinguish over any art considered upon issuance of the first Office Action. However, should the present application be deemed not in condition for allowance, it is submitted that the next Office Action should

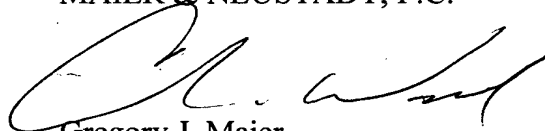
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not be made final, since the rejections of the Office Action did not preclude a substantive examination of the present claims, and the present amendments are not such that they would necessitate any new grounds of rejection.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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